

Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, DC 20554

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In the Matter of

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Amendment of Section 73.202(b))	
Table of Allotments)	MB Docket No. 04-80
FM Broadcast Stations)	RM - 10875
(St. Florian, Alabama))	

To: Office of the Secretary
 Attn: Assistant Chief, Audio Division
 Media Bureau

COMMENTS

Clear Channel Broadcasting Licenses, Inc. ("Clear Channel"), licensee of WEGR(FM), Memphis, Tennessee, by its counsel and pursuant to Sections 1.415 and 1.419 of the Commission's Rules, hereby submits its Comments in the above captioned proceeding. *See Notice of Proposed Rule Making*, DA 04-780, (released March 26, 2004) (the "Notice"). The *Notice*, among other things, proposed the reservation of Channel *274A at St. Florian, Alabama for noncommercial educational use ("NCE"), pursuant to a Petition for Rule Making filed by American Family Association (the "American Family Petition"). In support of its Comments, Clear Channel submits the following:

1. Clear Channel is filing a Petition for Rule Making, simultaneously with these Comments, which proposes to delete Channel 274C1 at Memphis, Tennessee and allot Channel 274C1 to Arlington, Tennessee as that community's first local service. In order to allot Channel 274C1 at Arlington, Tennessee it will be necessary to modify the site for the vacant allotment on Channel *274A at St. Florian, Alabama. *See Figure 1*. Channel *274A is currently allotted to St. Florian at the coordinates 34-57-8 North Latitude, 87-39-30 West Longitude. As demonstrated in *Figure 5*, the coordinates of Channel *274A can be modified to 34-50-12 North

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Latitude, 87-37-27 West Longitude consistent with Section 73.207 of the Commission's Rules with respect to all existing and proposed domestic allotments and facilities. A 70 dBu signal can be provided to St. Florian from the proposed reference coordinates. *See* Figure 4. The proposed site for Channel *274A is four kilometers from St. Florian, which is closer to St. Florian than the current site.

2. The modification of the vacant allotment site at St. Florian proposed in Clear Channel's Petition for Rule Making is consistent with the *Notice* released in this proceeding. The *Notice* stated that a party may file comments identifying a site at which a proposed reserved channel could be assigned with facilities fully equivalent to the proposed reserved allotment. The site proposed by Clear Channel for the allotment of Channel *274A is fully equivalent to the proposed reserved allotment. *See* Figure 4. The party filing comments also must demonstrate that, at the alternative site, the reserved channel will still provide a first and/or second NCE radio service to at least 10 percent of the population within the 60 dBu contour of the proposed station. As demonstrated in Figure 6, the coordinates proposed by Clear Channel will permit Channel *274A to provide service to 133,399 persons within the 60 dBu contour of the proposed station, which is 7,141 more persons than the 126,255 persons served at the original allotment site. *See* American Family Petition. Of the 133,339 persons served at Clear Channel's proposed site, 20,089, or 15%, will receive a second NCE radio service, which is more than the 16,810, or 13.3%, identified at the original allotment site.¹ *See* American Family Petition.

Therefore, in order to promptly provide a first local service to Arlington, Tennessee, Clear Channel requested in its Petition for Rule Making that the Commission modify the site of vacant Channel *274A at St. Florian, Alabama. If, however, the St. Florian NCE proposal in this

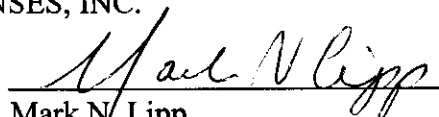
¹ At the current St. Florian coordinates and at the coordinates proposed by Clear Channel, no persons will receive a first NCE radio service.

proceeding is adopted first, Clear Channel requests that the Commission adopt the alternate site proposed in these comments and in the Petition for Rule Making. The public interest will be served by the increase in second NCE service, the increase in 60 dBu service, and provision for a first local service at Arlington, Tennessee.

Respectfully submitted,

CLEAR CHANNEL BROADCASTING
LICENSES, INC.

By:



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May 11, 2004

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TECHNICAL EXHIBIT

Figure 1: WEGR(FM) Channel 274C1 Allocations Spacing Study at Arlington, TN

WEGR-FM, Arlington, TN						
REFERENCE			CLASS = C1		DISPLAY DATES	
35 16 33 N			Current		DATA	04-24-04
89 46 38 W			Spacings		SEARCH	04-26-04
----- Channel 274 - 102.7 MHz -----						
Call	Channel	Location	Dist	Azi	FCC	Margin
WEGR	LIC-N 274C1	Memphis	TN 0.00	0.0	245.0	-245.00 ¹
ALLO	USE 274C1	Memphis	TN 11.64	205.4	245.0	-233.36
Coordinates updated from LIC record BLH3596						
ALLO	VAC 274A	St. Florian	AL 196.47	100.0	200.0	-3.53 ²
ALLO	VAC 274A	St. Florian	AL 202.37	103.4	200.0	2.37 ³
A Filing Window for this Channel will be Opened by the Commission in a Subsequent Order.						
ALLO	VAC 275C3	Saltillo	MS 147.28	131.1	144.0	3.28
ALLO	USE 276C2	Jackson	TN 89.29	73.5	79.0	10.29
KTRQ	LIC-N 272C2	Colt	AR 91.38	254.6	79.0	12.38
WMXXFM	LIC-Z 276C2	Jackson	TN 94.62	71.3	79.0	15.62
WMXXFM	CP 276C2	Jackson	TN 94.62	71.3	79.0	15.62
ALLO	USE 271A	Sardis	MS 97.15	184.3	75.0	22.15
WZDQ	LIC 272A	Humboldt	TN 99.05	56.6	75.0	24.05
ALLO	USE 272A	Humboldt	TN 99.05	56.6	75.0	24.05
Coordinates updated from LIC record BLH821112AP						
ALLO	USE 272C2	Colt	AR 103.69	251.1	79.0	24.69
KBUD	LIC-N 271A	Sardis	MS 99.84	179.3	75.0	24.84
WKZU	LIC 272A	Ripley	MS 105.89	126.2	75.0	30.89
ALLO	USE 272A	Ripley	MS 106.45	126.6	75.0	31.45
Coordinates updated from LIC record BLH790517AC						
ALLO	USE 276C3	Helena	AR 111.09	223.4	76.0	35.09
KFFAFM	LIC-N 276C3	Helena	AR 113.83	223.3	76.0	37.83
KEZSFM	LIC 275C1	Cape Girardeau	MO 237.19	4.6	177.0	60.19
ALLO	USE 275C1	Cape Girardeau	MO 237.19	4.6	177.0	60.19
Coordinates updated from LIC record BLH870501KC						
ALLO	USE 273C1	Pegram	TN 239.54	63.6	177.0	62.54
ALLO	RSV 273C1	Pegram	TN 248.96	62.1	177.0	71.96
KASU	LIC-D 220C1	Jonesboro	AR 106.11	310.4	34.0	72.11
ALLO	USE 221A	University	MS 94.28	166.3	22.0	72.28
WQZQFM	LIC-N 273C1	Pegram	TN 250.36	62.4	177.0	73.36
ALLO	USE 273A	Cabot	AR 206.53	261.3	133.0	73.53
KARNFM	LIC 273A	Cabot	AR 207.21	259.7	133.0	74.21
ALLO	USE 274A	Marion	KY 274.90	33.1	200.0	74.90

¹ Original channel, for which this proposal is a mutually exclusive substitute.

² Proposed allotment at St. Florian, Alabama, to which this proposal is short spaced, see Engineering Exhibit for discussion.

³ Alternate site proposed for channel 274A at St. Florian, Alabama, which is fully spaced to this instant proposal, and provides 70 dBu service to 100% of St. Florian, Alabama.

Figure 4: Channel 274 Class A 70 dBu Service to St. Florian, Alabama

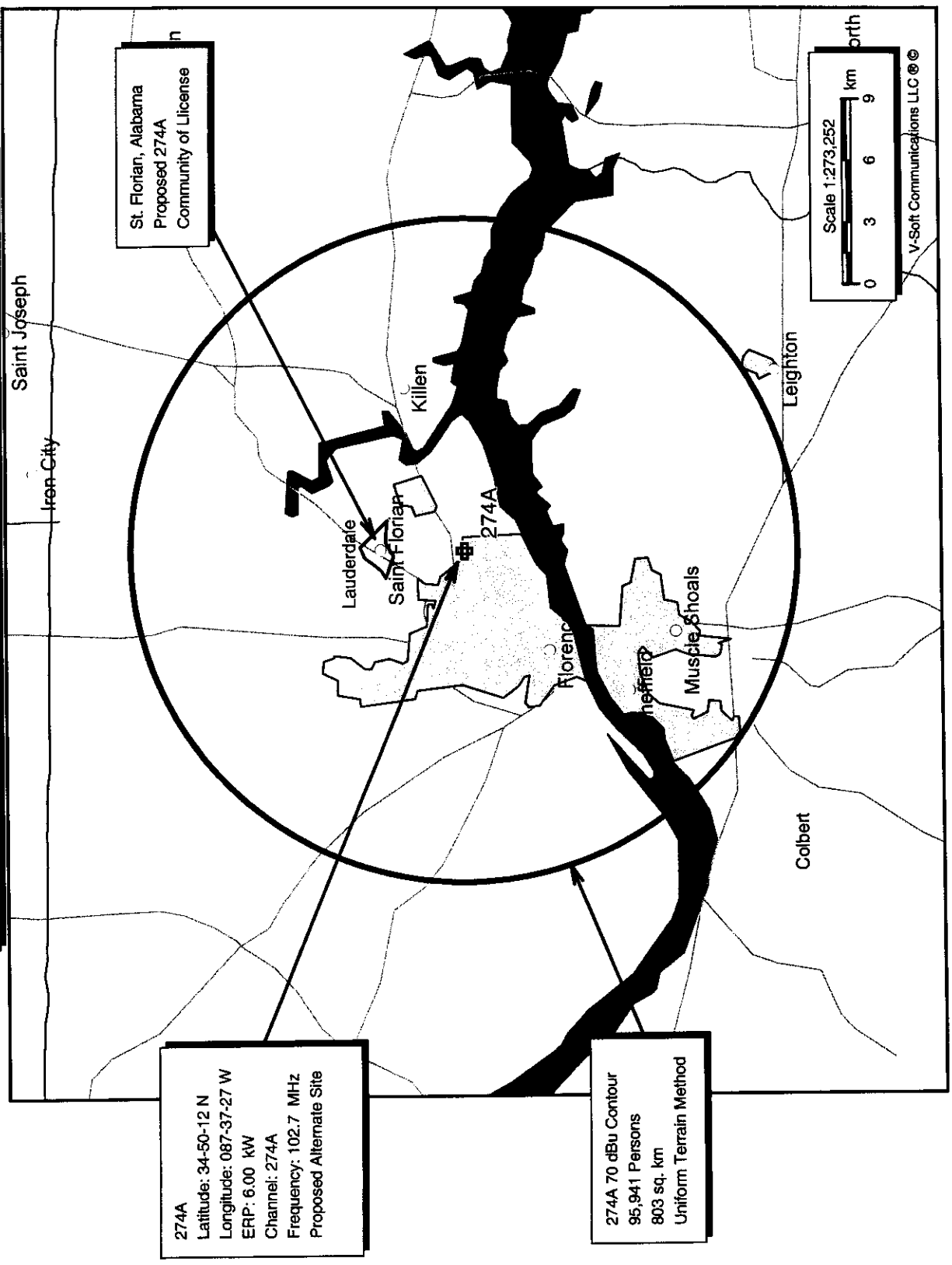
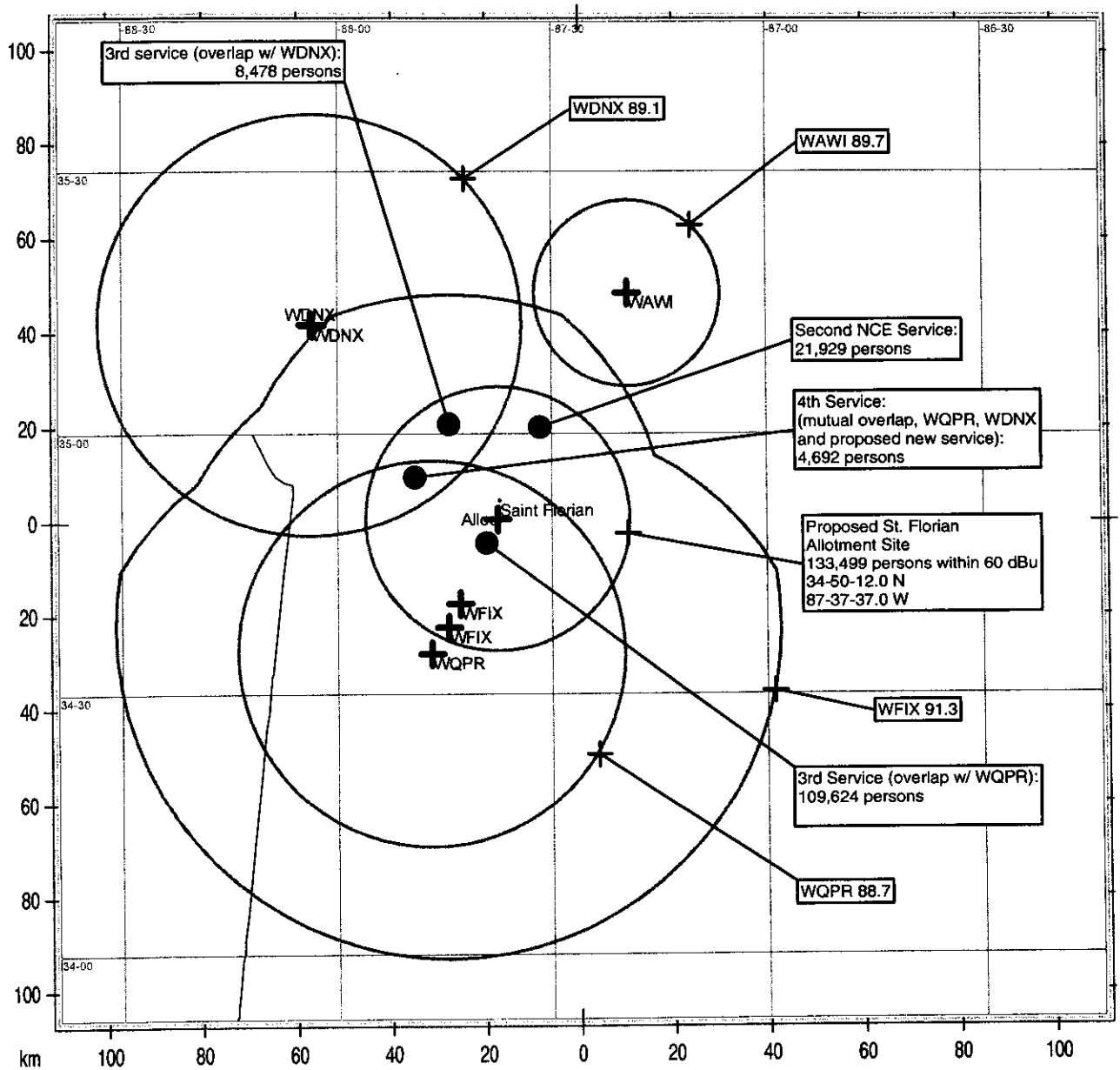


Figure 5: Channel 274A Allocations Spacing Study at St. Florian, Alabama

St Florian								
REFERENCE				CLASS = A		DISPLAY DATES		
34 50 12 N				Current		DATA 04-24-04		
87 37 27 W				Spacings		SEARCH 04-26-04		
----- Channel 274 - 102.7 MHz -----								
Call	Channel		Location		Dist	Azi	FCC	Margin
ALLO	VAC	274A	St. Florian	AL	13.19	346.4	115.0	-101.81
A Filing Window for this Channel will be Opened by the Commission in a Subsequent Order.								
WEGR	LIC-N	274C1	Arlington	TN	202.37	284.6	200.0	2.37 ¹
ALLO	USE	274C1	Memphis	TN	205.14	281.4	200.0	5.14
Coordinates updated from LIC record BLH3596								
ALLO	USE	271C1	Decatur	AL	81.03	91.1	75.0	6.03
Coordinates updated from LIC record BLH860408KD								
ALLO	USE	275C1	La Vergne	TN	140.51	40.0	133.0	7.51
Coordinates updated from LIC record BLH890619KD								
ALLO	RSV	275C1	La Vergne	TN	140.51	40.0	133.0	7.51
WBUZ	LIC	275C1	La Vergne	TN	140.51	40.0	133.0	7.51
ALLO	VAC	275C3	Saltillo	MS	99.28	240.9	89.0	10.28
WDRM	LIC	271C1	Decatur	AL	91.01	92.8	75.0	16.01
ALLO	USE	273C1	Jasper	AL	150.25	172.0	133.0	17.25
ALLO	USE	273C1	Pegram	TN	153.67	7.9	133.0	20.67
ALLO	USE	276C3	Moulton	AL	63.87	131.9	42.0	21.87
To channel 276C3 per one-step application								
WEUPFM	LIC	276C3	Moulton	AL	63.87	131.9	42.0	21.87
WQZQFM	LIC-N	273C1	Pegram	TN	164.17	10.0	133.0	31.17
ALLO	RSV	273C1	Pegram	TN	164.29	9.4	133.0	31.29
WDXB	LIC	273C1	Jasper	AL	169.06	155.9	133.0	36.06
ALLO	USE	221A	Minor Hill	TN	50.84	51.3	10.0	40.84
Coordinates updated from LIC record BLH830922AB								
WEUZ	LIC-N	221A	Minor Hill	TN	50.84	51.3	10.0	40.84
WOWL	LIC-N	220C2	Burnsville	MS	72.60	278.4	15.0	57.60
WKDF	LIC	277C0	Nashville	TN	150.49	27.6	86.0	64.49
Downgraded due to lack of application filed for minimum Class C facility.								
ALLO	USE	277C0	Nashville	TN	150.49	27.6	86.0	64.49

¹ This instant proposal.

First and Second NCE Service, St. Florian Allotment (at alternate site proposed)



State Borders Lat/Lon Grid


CERTIFICATE OF SERVICE

I, Lisa Balzer, a secretary in the law firm of Vinson & Elkins, LLP, do hereby certify that I have on this 11th day of May, 2004, caused to be mailed by first class mail, postage prepaid, copies of the foregoing "**Comments**" to the following:

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*Via Hand Delivery


Lisa Balzer